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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**  
**Plaintiff,**

**vs.**

**LANCE K. BRADFORD,**  
**Defendant.**

**CASE NO: 2:19-CR-00222-GMN-BNW**

**STIPULATION TO CONTINUE TRIAL  
(FOURTH REQUEST)**

It is hereby stipulated and agreed, by and between CHRISTOPHER CHIOU, Acting United States Attorney, through STEVEN W. MYHRE, Assistant United States Attorney and PATRICK BURNS, Trial Attorney – Department of Justice, and RUSSELL MARSH, ESQ., RICHARD A. WRIGHT, ESQ., and GEORGE P. KELESIS, ESQ., counsel for defendant LANCE K. BRADFORD, that the trial date in the above-captioned matter,

1 previously scheduled for November 15, 2021, at 9:00 a.m., be vacated and continued until  
2 March 14, 2022, March 28, 2022, or to a time convenient to the Court but no sooner than  
3 March 2022.

4 This Stipulation is entered into for the following reasons:

5 1. Calendar call and trial are currently set for November 9 and 15, 2021,  
6 respectively.

7 2. On August 27, 2019, the grand jury in the District of Nevada returned an  
8 indictment charging the defendant with twenty-eight counts of Aiding or Assisting in the  
Preparation of a False Tax Return (26 U.S.C. § 7206(2)).

9 3. The defendant's trial was originally scheduled for November 4, 2019.

10 4. On September 20, 2019, pursuant to a complex case scheduling order  
11 proposed by the parties, the Court reset defendant's trial for November 16, 2020.

12 5. On September 1, 2020, the grand jury returned a superseding indictment  
13 charging defendant with one additional count of Aiding or Assisting in the Preparation of a  
14 False Tax Return (26 U.S.C. § 7206(2)) and one count of Conspiracy to Defraud the United  
States (18 U.S.C. § 371).

15 6. On October 20, 2020, pursuant to the parties' stipulation requesting a trial  
16 continuance, the Court ordered defendant's trial continued to June 15, 2021.

17 7. On March 3, 2021, pursuant to the parties' stipulation requesting a trial  
18 continuance, the Court again vacated the trial and continued it to the present setting of  
19 November 15, 2021 at 9:00 a.m.

20 8. On August 30, 2021, the defendant filed a motion to continue the November  
21 15, 2021 trial date. ECF 56. The defendant contends he requires another continuance due to  
22 trial scheduling conflicts affecting his attorneys' availability for the current trial setting. He  
23 further asserts that litigation related to his document subpoena of a witness and his review of  
24

1 additional discovery materials from the government require additional time to prepare for  
2 trial.

3 9. On September 13, 2021, the government filed its response in opposition to the  
4 motion to continue. ECF 60. The government's response questions the necessity for a  
5 continuance in light of the asserted scheduling conflicts. It further contends that it will be  
6 prejudiced by a trial continuance in light of the substantial resources already expended to  
7 serve trial subpoenas for numerous lay witnesses in various states and the further aging of  
8 the evidence.

9 10. Because the government and the defendant wish to avoid further litigation  
10 and to come to an agreement on a very firm trial setting for defendant's trial, they are  
11 submitting this stipulation to continue the trial after contacting Court staff regarding  
12 potential trial settings in early 2022. The parties have been advised that the Court has March  
13 14, 2022 and March 28, 2022 trial settings currently available.

14 11. The parties request that the Court vacate the November 15, 2021 trial date  
15 and reset defendant's trial to March 14, 2022 or March 28, 2022, or to a time convenient to  
16 the Court but no sooner than March 2022.

17 12. Counsel for defendant require a continuance to adequately prepare for trial,  
18 including the investigation and review of discovery materials and materials subpoenaed  
19 from third parties. Each of defendants' counsel certifies that they have no trial or other  
20 conflicts that will prevent them from being fully available to conduct the trial if reset to  
21 March 2022. The parties do not anticipate seeking further continuances and will undertake  
22 their best efforts to avoid scheduling matters that conflict with the trial setting resulting from  
23 this Stipulation. In the absence of an agreement, neither party will move for a further  
24 continuance except for good cause shown.

13 13. The parties have been unable to agree whether the deadline for filing any Rule

1 12(b)(3) pretrial motions should be reset. The defendant will either file a separate motion  
2 seeking leave to extend and reset the motions deadlines or will seek leave to file any Rule  
3 12(b)(3) motion through a showing of good cause.

4 14. The parties stipulate that defendant shall be required to make all Rule 16  
5 disclosures, including expert witness disclosures, no later than sixty days prior to trial. The  
6 government shall continue to make its Rule 16 disclosures within a reasonable time of such  
7 material becoming available, and it agrees to produce statements qualifying as Jencks  
8 material twenty-one days prior to trial as previously agreed in the complex case scheduling  
9 order.

10 15. In consideration of the foregoing, the government does not oppose vacating  
11 the November 15, 2021 trial date and resetting the trial to March 2022. The government  
12 requests that the Court enter an order continuing the subpoenas issued for the November 15,  
13 2021 date to the continued trial date determined by the Court.

14 16. The defendant is out of custody and does not oppose this request to continue  
15 the trial.

16 17. Denial of this request could result in a miscarriage of justice, taking into  
17 account the exercise of due diligence.

18 18. The additional time requested by this Stipulation is excludable in computing  
19 the time within which the trial must start under the Speedy Trial Act, Title 18, United States  
20 Code, Section 3161 et. seq., considering the factors under Title 18, United States Code,  
21 Sections 3161(h)(7)(A), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv).

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Dated: October 19, 2021

By: /s/Russell Marsh, Esq.  
RUSSELL MARSH, ESQ.  
Counsel for Defendant BRADFORD

By: /s/Richard A. Wright, Esq.  
RICHARD A. WRIGHT, ESQ.  
Counsel for Defendant BRADFORD

By: /s/George P. Kelesis, Esq.  
 GEORGE P. KELESIS, ESQ.  
 Counsel for Defendant BRADFORD

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**  
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**LANCE K. BRADFORD,**  
**Defendant.**

**CASE NO: 2:19-CR-00222-GMN-BNW**

**FINDINGS OF FACT AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Calendar call and trial are currently set for November 9 and 15, 2021, respectively.

2. On August 27, 2019, the grand jury in the District of Nevada returned an indictment charging the defendant with twenty-eight counts of Aiding or Assisting in the Preparation of a False Tax Return (26 U.S.C. § 7206(2)).

3. The defendant's trial was originally scheduled for November 4, 2019.

4. On September 20, 2019, pursuant to a complex case scheduling order proposed by the parties, the Court reset defendant's trial for November 16, 2020.

5. On September 1, 2020, the grand jury returned a superseding indictment charging defendant with one additional count of Aiding or Assisting in the Preparation of a False Tax Return (26 U.S.C. § 7206(2)) and one count of Conspiracy to Defraud the United States (18 U.S.C. § 371).

6. On October 20, 2020, pursuant to the parties' stipulation requesting a trial continuance, the Court ordered defendant's trial continued to June 15, 2021.

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1 continuance, the Court again vacated the trial and continued it to the present setting of  
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15 10. Because the government and the defendant wish to avoid further litigation  
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21 the trial.

22 17. Denial of this request could result in a miscarriage of justice, taking into  
23 account the exercise of due diligence.

24 18. The additional time requested by this Stipulation is excludable in computing  
the time within which the trial must start under the Speedy Trial Act, Title 18, United States



Code, Section 3161 et. seq., considering the factors under Title 18, United States Code, Sections 3161(h)(7)(A), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv).

For all of the above-stated reasons, the ends of justice would be served best by a continuance of the trial date.

**ORDER**

IT IS ORDERED that the trial in *United States v. Lance K. Bradford*, Case No. 2:19-CR-00222-GMN-BNW, previously scheduled for November 15, 2021 at 9:00 a.m. is **Vacated** and **Continued**. Trial of this matter will commence on March 14, 2022 at 8:30 AM, at the Lloyd D. George Courthouse, Las Vegas, Nevada, in a Courtroom to be determined. The calendar call is also continued until March 8, 2022 at 9:00 AM.

IT IS FURTHER ORDERED that the defendant shall make his Rule 16 disclosures no later than sixty days prior to trial and the government shall continue to produce Rule 16 material within a reasonable time of it becoming available. The government shall produce any statements qualifying as Jencks material under 18 U.S.C. § 3500 no later than twenty-one days prior to trial.

IT IS FURTHER ORDERED that any subpoenas previously served on witnesses for the November 15, 2021 trial date are hereby **continued** and those witnesses remain under subpoena for personal appearance on the first day of trial set to commence on the date and in the place indicated above.

Dated this 20 day of October, 2021

By: 

HON. GLORIA M. NAVARRO  
U.S. DISTRICT COURT JUDGE